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MAR 5 AM 9:27
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6
7 WILLIAM JOSEPH BEAN II,

8 Defendant.
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MAGISTRATE CASE NO. **08 MJ 0665**

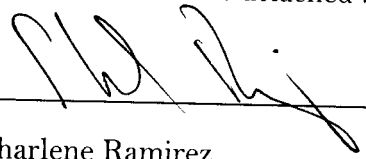
COMPLAINT FOR VIOLATION OF:

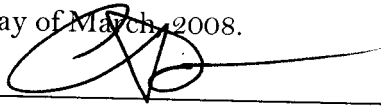
Title 18 U.S.C. § 2252(a)(4)(B) -
Possession of images of Children Engaged in
Sexually Explicit Conduct

10 The undersigned Complainant, being duly sworn, states:

11 On or about January 2, 2008, within the Southern District of California, defendant
12 WILLIAM JOSEPH BEAN II, did knowingly possess one or more matters, that is, computer hard
13 drive(s) and computer media containing digital and computer images which contained visual
14 depictions, that had been mailed, shipped and transported in interstate and foreign commerce, and
15 which were produced using materials which have been mailed, shipped and transported in
16 interstate and foreign commerce, by any means including by computer, the production of which
17 involved the use of a minor engaging in sexually explicit conduct, as defined in Title 18, United
18 States Code, Section 2256(2), and which visual depictions were of such conduct; in violation of Title
19 18, United States Code, Section 2252(a)(4)(B).

20 And the complainant states that this complaint is based on the attached Statement of Facts
21 incorporated herein by reference.
22

23 
Sharlene Ramirez
Special Deputy, US Marshal

24 Sworn to me and subscribed in my presence this 5th day of March, 2008.
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UNITED STATES MAGISTRATE JUDGE

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

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STATEMENT OF FACTS

I am a sworn peace officer employed by the San Diego Police Department and have been so employed for about 23 years. I am currently assigned as an investigator to the Internet Crimes Against Children (ICAC) Task Force, and have been so assigned since January, 2007. To facilitate my work with the ICAC Task Force, I was cross-sworn as a Special Deputy U.S. Marshal in May, 2007. As part of my duties with the ICAC, I investigate criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal production, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251 and 2252(a). During the course of my career, I have investigated in excess of 450 cases involving sexual assault allegations including allegations of child molest, and over 50 cases specifically involving child pornography and child sexual exploitation. I have received 40 hours of formal training in the area of sexual assault and child abuse investigations through the California office of Peace Officers Standards and Training (POST), over 100 hours of training in the area of internet crimes and sexual exploitation of children through the Office of Juvenile Justice and Delinquency Prevention, and 40 hours of training in the area of internet investigations through the Innocent Images Program of the Federal Bureau of Investigation. I have also attended two conferences, each with four day durations, in San Diego and San Jose, California, where the training and education focused on child abuse and internet crimes against children. Additionally, I have received 8 hours of instruction in computer forensics taught by the San Diego office of the Regional Computer Forensics Laboratory. Additionally, I have had the opportunity to observe and review numerous examples of child pornography and images of children engaged in sexually explicit conduct (as defined in 18 U.S.C. § 2256) in all forms of media including computer media, and I have participated in the execution of numerous federal and state issued search warrants,

1 which involved child exploitation and/or child pornography offenses. This complaint is based on my
2 own investigation as well as information received from other law enforcement officers.

3 Yahoo! Inc. is a global internet business and consumer services company that offers a
4 comprehensive branded network of properties and services including, but not limited to, e-mail,
5 instant messaging, photos and groups. Yahoo! Photos is a free service provided to subscribers
6 which allows them to upload and store image files in online photo albums. After uploading image
7 files to the online photo album the Yahoo! user can then access the stored image files from any
8 computer with internet access. Yahoo! Photo files can be set to either public view or private, by
9 invitation only, view. On September 10, 2007, Yahoo! reported to the National Center for
10 Missing and Exploited Children (NCMEC) that images appearing to depict child pornography
11 were found in one of its Photo files located at a URL of <http://photos.yahoo.com/isuzuender> and
12 accessible via the internet at that time. The images were posted by a Yahoo! account holder with
13 the user name of "isuzuender." Yahoo! provided the internet protocol (IP) address of the user
14 "isuzuender" at the time of account registration. A NCMEC analyst determined that, based on
15 the IP address, "isuzuender" was likely to be geographically located within San Diego County.
16 The information was sent via a secure private network to the San Diego ICAC Task Force, and
17 assigned to me for follow-up investigation.

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20 Yahoo! also provided 364 digital images that were uploaded to the Photo file by
21 "isuzuender." I examined the images and found numerous images depicting boys approximately
22 10-12 years old with their genitalia exposed and engaged in sexual acts. It is my experience and
23 opinion, that approximately 175 of the provided images depict the sexual exploitation of a child.

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25 I obtained a state issued search warrant for the contents of isuzuender's Yahoo! account. I
26 learned that the account was created on October 12, 2005 from an IP address located in the state of
27 Vermont. Photos were uploaded to the account between March 23, 2006 and January 22, 2007
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1 most recently from an IP address located in San Diego County, California. Yahoo! discovered the
2 illegal images and deactivated the account on September 4, 2007.

3 According to Yahoo! records, the account was registered with a first name "Mr" and no last
4 name or address. The birthday of the user was listed as July 5, 1984. I looked in the email
5 records and found that isuzuender@yahoo.com was identified as William BEAN II. I found
6 several messages to and from BEAN making "Paypal" purchases and listing his "ship to" address as
7 9470 Marilla Dr. in Lakeside, California. I conducted a background check and found that BEAN
8 had been contacted on November 29, 2006, by the San Diego County Sheriff's Department in
9 Lakeside, California. BEAN identified himself with Vermont Driver's License #01977792. He
10 gave 9470 Marilla Dr. as his home address and his birthday as July 5, 1984. I was able to obtain a
11 driver's license photo from the Vermont Department of Motor Vehicles. Additionally, I found
12 that William Bean II wrote in an email to Christina@mystical-orient.com on Jan 16, 2007, "The
13 Marilla address is where I live now at least for the next few years..."
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16 Additionally, I found an email that William Bean II wrote to polki9@tiscali.co.uk on
17 November 8, 2005. The email states in part, "The best place for you to start is at Boylinks.net
18 you can learn (sic) all about what it is to be a boy lover there. You can find all kind of links to
19 places where you can communicate with many others like us...if I were to fall in love with a boy
20 and he loved me back just as much and only if he wanted to then I say sex is ok."
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22 On December 20, 2007 I learned from ICAC Task Force member Detective A. TORRES
23 that he had been assigned to investigate a suspect identified as enderindragonarmy@yahoo.com.
24 I recognized the email address as belonging to BEAN and part of his Yahoo! account. I learned
25 that BEAN using Yahoo! screen name "enderindragonarmy" had uploaded images believed to be
26 child pornography to a photo album located at http://photos.yahoo.com/enderindragonarmy.
27 Yahoo! captured the IP address of the person uploading the images on August 17, 2007. The IP
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1 address is assigned to Cox Communications. FBI Agents learned from Cox Communications that
2 the subscriber assigned to the IP address at the date and time in question was Debbi BEAN at
3 9470 Marilla Dr., Lakeside, CA. Yahoo! submitted 191 images obtained from the
4 enderindragonarmy photo album. I viewed the images and saw numerous images of boys in the
5 8-12 year age range posed nude and displaying their genitals by spreading their legs or by
6 displaying an erection, or engaged in acts of oral copulation or other sex acts.

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8 I was subsequently advised of an additional case reported by Photobucket. Photobucket is
9 an internet website where users can upload and share photos, videos, and graphics for free. On
10 September 4, 2007, Photobucket reported to NCMEC that one of its users had uploaded child
11 pornography images to their website located at URL www.photobucket.com and accessible via the
12 internet. Photobucket identified the person uploading the images as using email address
13 enderindragonarmy@yahoo.com. Photobucket submitted six images with the report to NCMEC.
14 I viewed the images and determined that approximately five of the images depict the sexual
15 exploitation of a child. Again, the images depicted approximately 10-12 year old boys engaged in
16 sexual acts or displaying their genitals. A representative sample of approximately 19 of the
17 digital images provided by Yahoo! and Photobucket were photocopied and are available for the
18 Court's review.

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20 On January 2, 2008, I and other members of the Internet Crimes Against Children Task
21 Force executed a state issued search warrant at BEAN'S residence and located BEAN inside his
22 bedroom actively downloading video files. The information on the computer monitor indicated
23 that BEAN was using screen name "Nightryder212" and was in the process of downloading
24 video files with names like, "9yo Boy & Man 3 - Cum..." and "11Yo Boy Moleste..."

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26 I admonished BEAN of his Miranda rights utilizing San Diego Police form PD-145.
27 BEAN said that he understood his rights and was interviewed at his home during the execution of
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1 the search warrant. The interview was audio recorded. BEAN admitted to downloading and
2 possessing child pornography images and videos on his home computer. He said that he was in
3 the process of downloading videos from a service called "GigaTribe" when we arrived. BEAN
4 further stated that he had approximately 1000 pornographic images of children on his computer
5 and additional images stored on the family computer. Regarding the Yahoo! Photo albums,
6 BEAN admitted to uploading the images to the photo albums, but said he did not share the albums
7 with anyone, and kept the viewing settings to private. BEAN additionally stated, "I have a
8 problem. I'm a pedophile. I'm attracted to boys." Additionally, in BEAN'S bedroom, a pin was
9 found by an ICE Agent with the words "BL Charity" written on it and a triangular symbol that I
10 have learned is used by the "Boy Lover" community.
11

12 BEAN was arrested and booked into San Diego County jail for possession of child
13 pornography. BEAN's computer and the family computer were seized along with four cameras
14 from the residence. A preliminary review of BEAN's computer revealed well over 600 images of
15 children engaged in sexually explicit conduct. Analysis of the computers is ongoing given the
16 number of images found thus far.
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Sharlene Ramirez
Special Deputy, US Marshal